

**FILED**

IN THE UNITED STATES DISTRICT COURT **AUG 30 2012**  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY                      DEPUTY CLERK

JAMES E. HEDGES,

PLAINTIFF,

V.

TEXAS VETERANS COMMISSION,  
DEFENDANT.

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CAUSE NO. A-11-CA-440-LY

**ORDER**

Before the court in the above styled and numbered cause is the parties' Joint Agreed Motion To Modify the Scheduling Order filed August 29, 2012 (Clerk's Document No. 12). By the motion, the parties inform the court that they have agreed to modify and extend the deadlines in the Scheduling Order for both sides to complete all discovery by January 11, 2013, move the deadline to file other motions, including dispositive motions to March 1, 2013, and move the Final Pretrial Conference to May 17, 2013. Having considered the motion and reviewed the case file, the court will deny the motion.

At the Initial Pretrial Conference on March 6, 2012, the court advised the parties that they could revise the dates in the Scheduling Order by agreement, without court approval, except for the January 25, 2013 setting for their Final Pretrial Conference and the trial month of February 2013, taking care that if they agree to move their dispositive-motion deadline too close to the Final Pretrial Conference, the result could be that the court would carry any dispositive motions to trial. In light of the motion, the court again advises the parties that they may continue to avail themselves of such procedure.

As mentioned at the March 6, 2012 Initial Pretrial Conference, the court reminds the parties that the magistrate judges have much more flexible dockets than the district judges and that the

parties should consider consenting to proceed with their case before a Magistrate Judge if they believe they cannot be ready for trial in February 2013.

**IT IS ORDERED** that the parties' Joint Agreed Motion To Modify the Scheduling Order filed August 29, 2012 (Clerk's Document No. 12) is **DENIED**.

SIGNED this 30th day of August, 2012.

  
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LEE YEAKEL  
UNITED STATES DISTRICT JUDGE